

THURSDAY, APRIL 22, 2010
EIGHTY-THIRD LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Mrs. D'Ramirez of Sevierville, Tennessee, a guest of Senator Overbey.

PLEDGE OF ALLEGIANCE

Senator Overbey led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 94 with amendment, 1560 with amendment, 2485 with amendment, 2507, 2688, 2804 with amendment, 3011, 3094, 3155 with amendment, 3363 with amendment, 3524 with amendment, 3638, 3678 with amendment, 3865, 3874 and 3909; Senate Joint Resolution No. 793; and House Joint Resolution No. 767.

MCNALLY, Chairperson
April 20, 2010

The Speaker announced that he had referred Senate Bills Nos. 94 with amendment, 1560 with amendment, 2485 with amendment, 2507, 2688, 2804 with amendment, 3011, 3094, 3155 with amendment, 3363 with amendment, 3524 with amendment, 3638, 3678 with amendment, 3865, 3874 and 3909; Senate Joint Resolution No. 793; and House Joint Resolution No. 767 to the Committee on Calendar.

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2769 with amendment and 3335 with amendment; also, recommend that Senate Bills Nos. 3096 with

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amendment, 3518 with amendment, 3536 with amendment and 3851 with amendment be referred to Committee on Finance, Ways and Means.

JOHNSON, Chairperson
April 20, 2010

The Speaker announced that he had referred Senate Bills Nos. 2769 with amendment and 3335 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 3096 with amendment, 3518 with amendment, 3536 with amendment and 3851 with amendment to the Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1113 with amendment, 2708 with amendment, 3169, 3267 with amendment and 3411 with amendment; also, recommend that Senate Bills Nos. 2709 with amendment and 2882 with amendment be referred to Committee on Finance, Ways and Means.

BEAVERS, Chairperson
April 20, 2010

The Speaker announced that he had referred Senate Bills Nos. 1113 with amendment, 2708 with amendment, 3169, 3267 with amendment and 3411 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 2709 with amendment and 2882 with amendment to the Committee on Finance, Ways and Means.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 129 with amendment, 132 with amendment, 2487 with amendment, 3549 with amendment, 3640 with amendment and 3655 with amendment; Senate Resolution No. 208; and Senate Joint Resolution No. 966; also, recommend that Senate Bills Nos. 3194 with amendment, 3330, 3415 with amendment and 3598 with amendment be referred to Committee on Finance, Ways and Means.

KETRON, Chairperson
April 21, 2010

The Speaker announced that he had referred Senate Bills Nos. 129 with amendment, 132 with amendment, 2487 with amendment, 3549 with amendment, 3640 with amendment and 3655 with amendment; Senate Resolution No. 208; and Senate Joint Resolution No. 966 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 3194 with amendment, 3330, 3415 with amendment and 3598 with amendment to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2472 with amendment and 2949 with amendment.

WATSON, Chairperson
April 21, 2010

The Speaker announced that he had referred Senate Bills Nos. 2472 with amendment and 2949 with amendment to the Committee on Calendar.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1589 with amendment, 1751 with amendment, 3367 with amendment, 3380 with amendment and 3394 with amendment; also, recommend that Senate Bills Nos. 3110 with amendment and 3495 be referred to Committee on Finance, Ways and Means.

BEAVERS, Chairperson
April 21, 2010

The Speaker announced that he had referred Senate Bills Nos. 1589 with amendment, 1751 with amendment, 3367 with amendment, 3380 with amendment and 3394 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 3110 with amendment and 3495 to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 1041**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 1041 by Senator Norris.
General Assembly, Recess & Reconvene -- Recesses Senate from close of business on April 22, 2010, until April 29, 2010, at 9:00 a.m.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1041** was adopted.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 238, 2367, 2471, 2719, 3355, 3446, 3471, 3577, 3647, 3950 and 3992** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 238 -- Criminal Offenses -- As introduced, prohibits a person convicted of a felony involving the use or attempted use of force, violence, or a deadly weapon from knowingly possessing a vicious dog. Amends TCA Title 39, Chapter 17 and Title 44, Chapter 8.

House Bill No. 2367 -- Insurance, Health, Accident -- As introduced, establishes requirements for insurers and patients to reimburse anatomic pathology services. Amends TCA Title 56 and Title 63.

House Bill No. 2471 -- Sunset Laws -- As introduced, extends council on children's mental healthcare, June 30, 2014. Amends TCA Title 4, Chapter 29, Part 2 and Title 37, Chapter 3, Part 1.

House Bill No. 2719 -- Firearms and Ammunition -- As introduced, authorizes a person with a handgun carry permit to carry a handgun on a greenway that runs through a park, even if a municipality has voted to prohibit firearms in such park. Amends TCA Section 39-17-1311.

House Bill No. 3355 -- Beer -- As introduced, authorizes a local government to seek criminal background checks with the TBI or FBI for applicants for beer permits. Amends TCA Section 57-5-103.

House Bill No. 3446 -- Utilities, Utility Districts -- As introduced, increases from 100,000 to 200,000 the minimum number of lines an existing telephone cooperative can have to operate within the same area as a Rural Electric and Community Services Cooperative. Amends TCA Title 5; Title 6; Title 7 and Title 65.

House Bill No. 3471 -- Highways, Roads and Bridges -- As introduced, "Isaac Hayes Memorial Highway", I-40 in Shelby County.

House Bill No. 3577 -- Domestic Violence -- As introduced, changes incorrect cross-references to definition of domestic abuse victim and domestic abuse. Amends TCA Title 36, Chapter 3, Part 6; Title 39, Chapter 13; Title 40, Chapter 11, Part 1 and Title 40, Chapter 35, Part 3.

House Bill No. 3647 -- Uniform Laws -- As introduced, enacts amendments to Uniform Interstate Family Support Act. Amends TCA Title 36, Chapter 5.

House Bill No. 3950 -- Mental Health and Developmental Disabilities, Dept. of -- As introduced, urges the department to undertake an analysis to assist the legislature in determining the future direction of licensing and oversight of methadone maintenance programs and to share any findings, if so undertaken, with the governor and the Health and Human Resources Committee of the House and the General Welfare, Health and Human Resources Committee of the Senate. Amends TCA Title 68, Chapter 11.

House Bill No. 3992 -- Bledsoe County -- As introduced, subject to local approval, establishes healthcare facilities board as successor entity to board of hospital directors. Amends Chapter 94 of the Private Acts of 1968; as amended.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 987 through 1040 and 1042 through 1088**; and **Senate Resolutions Nos. 212 and 213** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 987 by Senator Barnes.

Memorials, Academic Achievement -- Christopher Robyn Hayes, Valedictorian, Montgomery Central High School.

Senate Joint Resolution No. 988 by Senator Barnes.

Memorials, Academic Achievement -- Shanell Lanette Tyler, Valedictorian, Rossview High School.

Senate Joint Resolution No. 989 by Senator Barnes.

Memorials, Academic Achievement -- Alexander Bailey Styer, Valedictorian, Clarksville Academy.

Senate Joint Resolution No. 990 by Senator Barnes.

Memorials, Academic Achievement -- Leo Vernon Saturday, Valedictorian, Northwest High School.

Senate Joint Resolution No. 991 by Senator Barnes.

Memorials, Academic Achievement -- James Frank Youhouse, Salutatorian, Kenwood High School.

Senate Joint Resolution No. 992 by Senator Barnes.

Memorials, Academic Achievement -- Brian Richard Goggin, Valedictorian, Northeast High School.

Senate Joint Resolution No. 993 by Senator Barnes.

Memorials, Academic Achievement -- Mary Morgan Scott, Valedictorian, Clarksville High School.

Senate Joint Resolution No. 994 by Senator Barnes.

Memorials, Academic Achievement -- Nina Rogers, Salutatorian, Northeast High School.

Senate Joint Resolution No. 995 by Senator Barnes.

Memorials, Academic Achievement -- Jacob Dylan Clark, Salutatorian, Clarksville High School.

Senate Joint Resolution No. 996 by Senator Barnes.

Memorials, Academic Achievement -- Matthew Timmy Alsup, Salutatorian, Clarksville Academy.

Senate Joint Resolution No. 997 by Senator Barnes.

Memorials, Academic Achievement -- Jenna Renee Johnson, Salutatorian, Northwest High School.

Senate Joint Resolution No. 998 by Senator Barnes.

Memorials, Academic Achievement -- Katie Sarah Segura, Valedictorian, Kenwood High School.

Senate Joint Resolution No. 999 by Senator Barnes.

Memorials, Interns -- Jessica Holly Chandler.

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Senate Joint Resolution No. 1000 by Senator Faulk.

Memorials, Academic Achievement -- Lauren Renee McCoy, Salutatorian, Hancock County High School.

Senate Joint Resolution No. 1001 by Senator Faulk.

Memorials, Academic Achievement -- Brittany Nicole Louthen, Valedictorian, Hancock County High School.

Senate Joint Resolution No. 1002 by Senator Faulk.

Memorials, Academic Achievement -- James Lucas Brooks, Valedictorian, Washburn High School.

Senate Joint Resolution No. 1003 by Senator Faulk.

Memorials, Academic Achievement -- Lea Epperson, Salutatorian, Washburn High School.

Senate Joint Resolution No. 1004 by Senator Faulk.

Memorials, Academic Achievement -- Madaline Suzanne Walker, Salutatorian, J. Frank White Academy.

Senate Joint Resolution No. 1005 by Senator Faulk.

Memorials, Academic Achievement -- Leslie Kate Lowry, Salutatorian, J. Frank White Academy.

Senate Joint Resolution No. 1006 by Senator Faulk.

Memorials, Academic Achievement -- Clarissa Kaye Medley, Valedictorian, J. Frank White Academy.

Senate Joint Resolution No. 1007 by Senator Faulk.

Memorials, Death -- Ralph Lancelot Anderson.

Senate Joint Resolution No. 1008 by Senator Barnes.

Memorials, Academic Achievement -- Nathan Phillip Baker, Salutatorian, West Creek High School.

Senate Joint Resolution No. 1009 by Senator Barnes.

Memorials, Academic Achievement -- Raymond Nathaniel Ruffin III, Valedictorian, West Creek High School.

Senate Joint Resolution No. 1010 by Senator Overbey.

Memorials, Academic Achievement -- Tia Ellise Collier, Valedictorian, Seymour High School.

Senate Joint Resolution No. 1011 by Senator Overbey.

Memorials, Academic Achievement -- Sarah Nowack, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1012 by Senator Overbey.

Memorials, Academic Achievement -- Steven Samuel Collett, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1013 by Senator Overbey.

Memorials, Academic Achievement -- Chauncey Meade, Valedictorian, Gatlinburg-Pittman High School.

Senate Joint Resolution No. 1014 by Senator Overbey.

Memorials, Academic Achievement -- Charles McDaniel, Valedictorian, Sevier County High School.

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Senate Joint Resolution No. 1015 by Senator Overbey.

Memorials, Academic Achievement -- Danielle Corbett Gibson, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1016 by Senator Overbey.

Memorials, Academic Achievement -- Anthony John Zamora, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1017 by Senator Overbey.

Memorials, Academic Achievement -- Lindsay Brooke Boling, Valedictorian, Seymour High School.

Senate Joint Resolution No. 1018 by Senator Overbey.

Memorials, Academic Achievement -- Claire Beth McCarter, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1019 by Senator Overbey.

Memorials, Academic Achievement -- Kayla Robbins, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1020 by Senator Overbey.

Memorials, Academic Achievement -- Michael Brandon Hutton, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1021 by Senator Overbey.

Memorials, Academic Achievement -- Erin Nicole McMullen, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1022 by Senator Overbey.

Memorials, Academic Achievement -- Kenneth Davis, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1023 by Senator Overbey.

Memorials, Academic Achievement -- Kristian A. Maples, Valedictorian, Gatlinburg-Pittman High School.

Senate Joint Resolution No. 1024 by Senator Overbey.

Memorials, Academic Achievement -- Chance Gardner Rothwell, Valedictorian, Gatlinburg-Pittman High School.

Senate Joint Resolution No. 1025 by Senator Overbey.

Memorials, Academic Achievement -- D.J. Young, Valedictorian, Seymour High School.

Senate Joint Resolution No. 1026 by Senator Overbey.

Memorials, Academic Achievement -- Juliet Bethel Sutphin, Valedictorian, Seymour High School.

Senate Joint Resolution No. 1027 by Senator Overbey.

Memorials, Academic Achievement -- Maria DeLucia, Salutatorian, Seymour High School.

Senate Joint Resolution No. 1028 by Senator Overbey.

Memorials, Academic Achievement -- Allison Vera King, Valedictorian, Gatlinburg-Pittman High School.

Senate Joint Resolution No. 1029 by Senator Overbey.

Memorials, Academic Achievement -- Cara Monghi, Valedictorian, Seymour High School.

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Senate Joint Resolution No. 1030 by Senator Overbey.

Memorials, Academic Achievement -- Stephen Martin, Salutatorian, Seymour High School.

Senate Joint Resolution No. 1031 by Senator Overbey.

Memorials, Academic Achievement -- Olivia Crisp, Valedictorian, Seymour High School.

Senate Joint Resolution No. 1032 by Senator Overbey.

Memorials, Academic Achievement -- Andrew Turner, Valedictorian, Seymour High School.

Senate Joint Resolution No. 1033 by Senator Stewart.

Memorials, Retirement -- Wendell Wheeler.

Senate Joint Resolution No. 1034 by Senators Johnson and Henry.

Memorials, Death -- William Fields Alexander, Jr.

Senate Joint Resolution No. 1035 by Senator Kyle.

Memorials, Academic Achievement -- Michael Pietrangelo, Salutatorian, Christian Brothers High School.

Senate Joint Resolution No. 1036 by Senator Kyle.

Memorials, Academic Achievement -- Benjamin Anthony Alexander, Valedictorian, Christian Brothers High School.

Senate Joint Resolution No. 1037 by Senator Finney.

Memorials, Recognition -- Bradford Elementary School, 2010 Title I Distinguished School.

Senate Joint Resolution No. 1038 by Senator Finney.

Memorials, Recognition -- Milan Special School District Board of Education, Board of Distinction Award.

Senate Joint Resolution No. 1039 by Senator Finney.

Memorials, Recognition -- Bradford Special School District Board of Education, Board of Distinction Award.

Senate Joint Resolution No. 1040 by Senator Finney.

Memorials, Recognition -- Jackson-Madison County Board of Education, Board of Distinction Award.

Senate Joint Resolution No. 1042 by Senator Overbey.

Memorials, Academic Achievement -- Elizabeth C. Conner, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1043 by Senator Overbey.

Memorials, Academic Achievement -- Alexander Wayne McCandless, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1044 by Senator Overbey.

Memorials, Academic Achievement -- Alex Ryne Byrd, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1045 by Senator Overbey.

Memorials, Academic Achievement -- Ivan Herrell, Valedictorian, Sevier County High School.

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Senate Joint Resolution No. 1046 by Senator Overbey.

Memorials, Academic Achievement -- Mary Trentham, Salutatorian, Sevier County High School.

Senate Joint Resolution No. 1047 by Senator Overbey.

Memorials, Academic Achievement -- Jonah Cross Pullium, Valedictorian, Gatlinburg-Pittman High School.

Senate Joint Resolution No. 1048 by Senators Yager and Overbey.

Memorials, Death -- Judith Wassom.

Senate Joint Resolution No. 1049 by Senator Burks.

Memorials, Academic Achievement -- Clayton McFerrin, Valedictorian, White County High School.

Senate Joint Resolution No. 1050 by Senator Burks.

Memorials, Academic Achievement -- Laura Elizabeth Martin, Salutatorian, Monterey High School.

Senate Joint Resolution No. 1051 by Senator Burks.

Memorials, Academic Achievement -- Charley Kathleen Threet, Salutatorian, Cumberland High School.

Senate Joint Resolution No. 1052 by Senator Burks.

Memorials, Academic Achievement -- Julie Kolodziej, Salutatorian, White County High School.

Senate Joint Resolution No. 1053 by Senator Burks.

Memorials, Academic Achievement -- Anthony James Lentscher, Valedictorian, Cumberland High School.

Senate Joint Resolution No. 1054 by Senator Burks.

Memorials, Academic Achievement -- Kelsey Rose Stubbs, Valedictorian, Monterey High School.

Senate Joint Resolution No. 1055 by Senator Burks.

Memorials, Academic Achievement -- Caroline Amanda Mercer, Valedictorian, Stone Memorial High School.

Senate Joint Resolution No. 1056 by Senator Burks.

Memorials, Academic Achievement -- Kellie Denise Davis, Salutatorian, Stone Memorial High School.

Senate Joint Resolution No. 1057 by Senator Burks.

Memorials, Academic Achievement -- Shannen Marie Leahy, Valedictorian, Upperman High School.

Senate Joint Resolution No. 1058 by Senator Burks.

Memorials, Academic Achievement -- Kelsey Lauren Scott, Salutatorian, Upperman High School.

Senate Joint Resolution No. 1059 by Senator Barnes.

Memorials, Academic Achievement -- Daniel Thomas Kasper, Salutatorian, Montgomery Central High School.

Senate Joint Resolution No. 1060 by Senator Barnes.

Memorials, Academic Achievement -- Emily Ann Russell, Salutatorian, Rossview High School.

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Senate Joint Resolution No. 1061 by Senator Berke.

Naming and Designating -- "Drinking Water Week", May 2-8, 2010.

Senate Joint Resolution No. 1062 by Senator Finney.

Memorials, Sports -- Tim Jackson, Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1063 by Senator Finney.

Memorials, Sports -- Malissa "Missy" Herndon Barnett, Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1064 by Senator Finney.

Memorials, Sports -- Ricky Walls, Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1065 by Senator Finney.

Memorials, Sports -- Dan Boykin, Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1066 by Senator Finney.

Memorials, Sports -- Ralph Jones, Jr., Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1067 by Senator Finney.

Memorials, Sports -- 1966-1967 Stigall Hornets, Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1068 by Senator Finney.

Memorials, Sports -- Tashekia Brown Abakwue, Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1069 by Senator Finney.

Memorials, Sports -- James "Teco" Fuchs, Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1070 by Senator Finney.

Memorials, Sports -- Terry Giltner, Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1071 by Senator Finney.

Memorials, Sports -- 1975-76 Humbolt High School basketball team, Gibson County Sports Hall of Fame.

Senate Joint Resolution No. 1072 by Senator Jackson.

Memorials, Death -- Dr. Bobby Morrison.

Senate Joint Resolution No. 1073 by Senators Finney and Berke.

Memorials, Government Officials -- Supports the National Day of Prayer; urges President Obama to issue National Day of Prayer proclamation.

Senate Joint Resolution No. 1074 by Senator Faulk.

Memorials, Death -- Ralph Lancelot Anderson.

Senate Joint Resolution No. 1075 by Senator Faulk.

Memorials, Academic Achievement -- Spencer Paul Keck, Salutatorian, Union County High School.

Senate Joint Resolution No. 1076 by Senator Faulk.

Memorials, Academic Achievement -- Jacob Amiel Norris, Valedictorian, Union County High School.

Senate Joint Resolution No. 1077 by Senator Faulk.

Memorials, Academic Achievement -- Carrie Graves, Valedictorian, Union County High School.

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Senate Joint Resolution No. 1078 by Senator Faulk.

Memorials, Academic Achievement -- Carrie Michelle Thomas, Valedictorian, Union County High School.

Senate Joint Resolution No. 1079 by Senator Faulk.

Memorials, Academic Achievement -- Daniel Robert Lemon, Valedictorian, Union County High School.

Senate Joint Resolution No. 1080 by Senator Faulk.

Memorials, Academic Achievement -- Haley Brooke Effler, Valedictorian, Union County High School.

Senate Joint Resolution No. 1081 by Senator Faulk.

Memorials, Academic Achievement -- Dylan Tyler Edmonson, Valedictorian, Union County High School.

Senate Joint Resolution No. 1082 by Senator Faulk.

Memorials, Academic Achievement -- Chelsea Forrest Nicley, Valedictorian, Union County High School.

Senate Joint Resolution No. 1083 by Senator Faulk.

Memorials, Academic Achievement -- Alex Vanlandingham, Valedictorian, Claiborne High School.

Senate Joint Resolution No. 1084 by Senator Faulk.

Memorials, Academic Achievement -- Emily M. Thompson, Valedictorian, Claiborne High School.

Senate Joint Resolution No. 1085 by Senator Faulk.

Memorials, Academic Achievement -- Erin Whitaker, Valedictorian, Claiborne High School.

Senate Joint Resolution No. 1086 by Senator Faulk.

Memorials, Academic Achievement -- Samantha Ayers, Valedictorian, Claiborne High School.

Senate Joint Resolution No. 1087 by Senator Faulk.

Memorials, Academic Achievement -- Haley Henard, Salutatorian, Claiborne High School.

Senate Joint Resolution No. 1088 by Senator Faulk.

Memorials, Academic Achievement -- Bethany Collingsworth, Valedictorian, Claiborne High School.

Senate Resolution No. 212 by Senator Norris.

Memorials, Interns -- Drew Daniel Dickson.

Senate Resolution No. 213 by Senator Stewart.

Memorials, Retirement -- Wendell Wheeler.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 777, 890, 1047, 1073 and 1100; Senate Joint Resolutions Nos. 978, 980 and 983 through 986; and Senate Resolution No. 211** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 777 -- General Assembly, Directed Studies -- Directs Department of Transportation and Department of Safety to study safety issues involving tractor trailers parking alongside interstate highways and adjacent areas.

The Speaker announced that he had referred House Joint Resolution No. 777 to the Committee on Transportation.

House Joint Resolution No. 890 -- Memorials, Congress -- Urges restoration of presumption of service connection for Agent Orange exposure to U.S. Navy and Air Force veterans who served on inland waterways, territorial waters, and in airspace of Republic of Vietnam and in Thailand, Laos, and Cambodia through passage of Agent Orange Equity Act.

The Speaker announced that he had referred House Joint Resolution No. 890 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 1047 -- Naming and Designating -- "Parliamentary Law Month", April 2010.

The Speaker announced that he had referred House Joint Resolution No. 1047 to the Committee on Judiciary.

House Joint Resolution No. 1073 -- Memorials, Recognition -- Marc H. Morial, President & CEO, National Urban League.

The Speaker announced that he had referred House Joint Resolution No. 1073 to the Committee on Calendar.

House Joint Resolution No. 1100 -- Memorials, Death -- Dr. Benjamin L. Hooks.

The Speaker announced that he had referred House Joint Resolution No. 1100 to the Committee on Calendar.

Senate Joint Resolution No. 978 -- Highway Signs -- "William W. Hall Memorial Bridge", State Route 48 in Dickson County.

The Speaker announced that he had referred Senate Joint Resolution No. 978 to the Committee on Transportation.

Senate Joint Resolution No. 980 -- Memorials, Recognition -- Cumberland Plateau region of Tennessee.

The Speaker announced that he had referred Senate Joint Resolution No. 980 to the Committee on Calendar.

Senate Joint Resolution No. 983 -- Memorials, Recognition -- Margaret Brogden, Roane County Republican Party Lifetime Achievement Award.

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The Speaker announced that he had referred Senate Joint Resolution No. 983 to the Committee on Calendar.

Senate Joint Resolution No. 984 -- Memorials, Recognition -- Alven Brogden, Roane County Republican Party Lifetime Achievement Award.

The Speaker announced that he had referred Senate Joint Resolution No. 984 to the Committee on Calendar.

Senate Joint Resolution No. 985 -- Memorials, Recognition -- St. Cecilia Academy, 150th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 985 to the Committee on Calendar.

Senate Joint Resolution No. 986 -- Memorials, Recognition -- Jennifer Higdon, Pulitzer Prize.

The Speaker announced that he had referred Senate Joint Resolution No. 986 to the Committee on Calendar.

Senate Resolution No. 211 -- Memorials, Sports -- Melrose High School boys basketball team, Class 3A State Champions.

The Speaker announced that he had referred Senate Resolution No. 211 to the Committee on Calendar.

NOTICE

COMMITTEE ON CALENDAR'S SECOND REPORT ON QUALIFIED ANNUAL EVENTS

Pursuant to Rule No. 76(1), the report was received and filed with the Clerk.

MOTION

Senator Stewart moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 1033**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 1033 -- Memorials, Retirement -- Wendell Wheeler.

On motion of Senator Stewart, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1033** was adopted.

NOTICES

MESSAGE FROM THE HOUSE

April 19, 2010

MR. SPEAKER: I am directed to request the return of Senate Bill No. 3161, for further consideration.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2341, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

CONSENT CALENDAR

Senate Joint Resolution No. 967 -- Memorials, Recognition -- Larry D. Williams.

Senate Joint Resolution No. 968 -- Memorials, Recognition -- Maria Hernandez, 2010 Tennessee Youth of the Year.

Senate Joint Resolution No. 969 -- Memorials, Personal Occasion -- George W. and Olene Cagle, 80th birthdays.

Senate Joint Resolution No. 970 -- Memorials, Retirement -- Michael Lynn Cole.

Senate Joint Resolution No. 971 -- Memorials, Death -- Dixie Carter.

Senate Joint Resolution No. 972 -- Memorials, Interns -- Franklin T. Anderson.

Senate Joint Resolution No. 973 -- Memorials, Academic Achievement -- Anna L. Howerton, Co-Valedictorian, Alcoa High School.

Senate Joint Resolution No. 974 -- Memorials, Academic Achievement -- Joseph Charles Smith, Valedictorian, Gateway Christian School.

Senate Joint Resolution No. 975 -- Memorials, Academic Achievement -- Adrianna Bolden, Salutatorian, Trezevant High School.

Senate Joint Resolution No. 977 -- Memorials, Academic Achievement -- Grace A. Bickers, Co-Valedictorian, Alcoa High School.

Senate Resolution No. 210 -- Memorials, Death -- Thomas C. Giles III.

House Joint Resolution No. 1042 -- Memorials, Death -- Robert B. Anderson.

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House Joint Resolution No. 1043 -- Memorials, Sports -- Harley "Skeeter" Swift.

House Joint Resolution No. 1044 -- Memorials, Recognition -- Tennessee Tech Chorale.

House Joint Resolution No. 1045 -- Memorials, Recognition -- Dominican Sisters of St. Cecilia, 150th anniversary.

House Joint Resolution No. 1046 -- Memorials, Recognition -- Brittany Kyte, Miss Watauga Valley.

House Joint Resolution No. 1048 -- Memorials, Personal Occasion -- Larry and Holly Drake, 50th wedding anniversary.

House Joint Resolution No. 1049 -- Memorials, Professional Achievement -- Coach Scott Conner, National Single Wing Coaches Hall of Fame.

House Joint Resolution No. 1050 -- Memorials, Recognition -- Larry and Wanda Collins, Co-Grand Marshals of the 2010 Strawberry Parade.

House Joint Resolution No. 1052 -- Memorials, Recognition -- Grassmere Historic Home, 200th anniversary.

House Joint Resolution No. 1053 -- Memorials, Retirement -- Bill Kee.

House Joint Resolution No. 1054 -- Memorials, Professional Achievement -- George Birdwell, TWRA Boating Officer of the Year.

House Joint Resolution No. 1055 -- Memorials, Academic Achievement -- Cheatham County Central High School, Harpeth High School, and Sycamore High School students, Gateway and End-of-Course tests.

House Joint Resolution No. 1056 -- Memorials, Death -- Judge Dixon Hood.

House Joint Resolution No. 1057 -- Memorials, Retirement -- Webb Banks.

House Joint Resolution No. 1058 -- Memorials, Interns -- Serena Lynn Taggart.

House Joint Resolution No. 1059 -- Memorials, Recognition -- Dr. Cornel West.

House Joint Resolution No. 1060 -- Memorials, Personal Achievement -- John William "Bill" Roberson IV, Eagle Scout.

House Joint Resolution No. 1061 -- Memorials, Death -- Charles Campbell.

House Joint Resolution No. 1062 -- Memorials, Recognition -- Dr. Gary Benmark.

House Joint Resolution No. 1063 -- Memorials, Death -- Dixie Carter.

House Joint Resolution No. 1064 -- Memorials, Death -- Duke Harris Brasfield.

House Joint Resolution No. 1065 -- Memorials, Sports -- Jarvis Varnado.

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House Joint Resolution No. 1066 -- Memorials, Personal Occasion -- Bud and Shirley Bowden, 50th wedding anniversary.

House Joint Resolution No. 1067 -- Memorials, Retirement -- Jill Prudden.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Objections having been raised, the following bill was placed at the heel of the Local Bill Consent Calendar for Thursday, April 29, 2010, pursuant to Rule 38: **Senate Bill No. 3945.**

Senate Bill No. 3946 -- Lebanon -- As introduced, subject to local approval, revises the charter. Amends Chapter 685 of the Private Acts of 1929.

On motion, Senate Bill No. 3946 was made to conform with **House Bill No. 3985.**

On motion, House Bill No. 3985, on same subject, was substituted for Senate Bill No. 3946.

Senate Bill No. 3947 -- Springfield -- As introduced, subject to local approval, amends the charter of the City of Springfield to require employees and officers handling money to either provide liability insurance covering employee dishonesty or to secure a surety bond. Amends Chapter 1 of the Private Acts of 1989.

On motion, Senate Bill No. 3947 was made to conform with **House Bill No. 3988.**

On motion, House Bill No. 3988, on same subject, was substituted for Senate Bill No. 3947.

Senate Bill No. 3951 -- Bledsoe County -- As introduced, subject to local approval, establishes healthcare facilities board as successor entity to board of hospital directors. Amends Chapter 94 of the Private Acts of 1968; as amended.

On motion, Senate Bill No. 3951 was made to conform with **House Bill No. 3992.**

On motion, House Bill No. 3992, on same subject, was substituted for Senate Bill No. 3951.

Senator Faulk moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 698 -- Constitutional Amendments -- Provides for the direct popular election of the state attorney general, as amended.

Thereupon, **Senate Joint Resolution No. 698**, as amended, was adopted by the following vote:

Ayes 19
Noes 14

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Crowe, Gresham, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--19.

Senators voting no were: Barnes, Burks, Faulk, Finney, Ford, Harper, Haynes, Henry, Herron, Kyle, Marrero, Overbey, Stewart and Tate--14.

A motion to reconsider was tabled.

Senate Resolution No. 208 -- General Assembly, Confirmation of Appointment -- Tammy White, Tennessee Ethics Commission.

Senate Resolution No. 208 was adopted by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 735 -- Estates -- As introduced, increases from five days to 10 days period in which the clerk shall mail copies of exceptions to the clerk's decision to the personal representative and the personal representative's attorney of record. Amends TCA Title 30.

On motion, Senate Bill No. 735 was made to conform with **House Bill No. 172**.

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On motion, House Bill No. 172, on same subject, was substituted for Senate Bill No. 735.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 172** passed its third and final consideration by the following vote:

Ayes	27
Noes	5
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Gresham, Harper, Henry, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--27.

Senators voting no were: Finney, Ford, Haynes, Herron and Marrero--5.

Senator present and not voting was: Kyle--1.

A motion to reconsider was tabled.

Senate Bill No. 1264 -- Domestic Relations -- As introduced, requires court to hold in contempt any person who makes false accusation of sexual abuse in furtherance of litigation; also requires false accuser to pay other party's litigation costs. Amends TCA Title 19; Title 20; Title 21 and Title 36.

On motion, Senate Bill No. 1264 was made to conform with **House Bill No. 1130**.

On motion, House Bill No. 1130, on same subject, was substituted for Senate Bill No. 1264.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1130** passed its third and final consideration by the following vote:

Ayes	27
Noes	4
Present, not voting . . .	1

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--27.

Senators voting no were: Ford, Haynes, Kyle and Marrero--4.

Senator present and not voting was: Barnes--1.

A motion to reconsider was tabled.

Senate Bill No. 1912 -- Firearms and Ammunition -- As introduced, allows a commissioned reserve deputy sheriff as authorized in writing by the sheriff to carry firearms as a law enforcement officer. Amends TCA Section 39-17-1350.

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On motion, Senate Bill No. 1912 was made to conform with **House Bill No. 1665**.

On motion, House Bill No. 1665, on same subject, was substituted for Senate Bill No. 1912.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1665** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 2428 -- Sunset Laws -- As introduced, extends board of examiners for architects and engineers, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 2, Part 2.

On motion, Senate Bill No. 2428 was made to conform with **House Bill No. 2593**.

On motion, House Bill No. 2593, on same subject, was substituted for Senate Bill No. 2428.

Senator Watson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-231(a), is amended by deleting subdivision (8) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-234(a), is amended by adding a new subdivision thereto, as follows:

() Board of examiners for architects and engineers, created by § 62-2-201;

SECTION 3. Tennessee Code Annotated, Section 62-2-201(a), is amended by deleting subdivisions (1), (2) and (3) in their entireties and by substituting instead the following:

(1) The board shall include, where possible, at least one (1) female and at least one (1) member of a racial minority.

(2) This board shall consist of eight (8) members to be appointed by the governor, three (3) to be registered architects who may be appointed from a list of nominees submitted by the representative professional architects of the state, three (3) to be registered engineers who may be appointed from a list of nominees submitted by the representative professional engineering society of the state, one (1) to be a registered landscape architect who may be appointed from a list of nominees submitted by the representative professional landscape architecture society of the state, and one (1) to be a registered interior designer who may be appointed from a list of nominees submitted by the representative professional interior design society of the state.

(3) In the event of a vacancy on the board for any reason and the governor failing to appoint a successor within three (3) months after the vacancy occurs, the board is empowered to fill that vacancy from the list of names submitted by the respective societies, until the governor makes an appointment as provided in subdivision (a)(2).

SECTION 4. Tennessee Code Annotated, Section 62-2-201(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) In addition to members serving on the board under the authority of subsection (a), the board of architects and engineers shall also include one (1) member who is not engaged in the practice of architecture, engineering or landscape architecture, and who has no direct or indirect affiliation with the architecture and engineering profession or industry. The member shall be appointed by the governor, shall serve for a period of four (4) years, shall possess good moral character and, except as provided in § 62-2-302, shall be a full member of the board relative to all board matters. The member is subject to removal by the governor for misconduct, incapacity or neglect of duty.

SECTION 5. Tennessee Code Annotated, Section 62-2-201(c), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) In addition to members serving on the board under the authority of subsections (a) and (b), the board shall also include as associate members three (3) registered engineers, who may be appointed by the governor from a list of nominees submitted by the representative professional engineering society of the state.

SECTION 6. Tennessee Code Annotated, Section 62-2-201, is further amended by adding the following language as a new subsection:

(d)(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the board:

(A) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the board shall terminate all employment and business association with any entity whose business endeavors or professional activities are regulated by

the board, prior to serving as a member of the board. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the board after July 1, 2010;

(B) No person who is a member of the board shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity whose business endeavors or professional activities are regulated by the board during such person's period of service as a member of the board. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the board after July 1, 2010, and to all persons serving on the board on such date who are not registered as lobbyists; and

(C) No registered lobbyist who serves as a member of the board shall be employed by or otherwise associated in a business relationship with any entity whose business endeavors or professional activities are regulated by the board for one (1) year following the date such person's service on the board ends. The provisions of this subdivision (1)(C) shall apply to registered lobbyists serving on the board as of July 1, 2010, and to such persons appointed to the board subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in Title 3, Chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

SECTION 7. The provision of this act prohibiting a member who is not engaged in the practice of architecture, engineering or landscape architecture from having any direct or indirect affiliation with the architecture or engineering professions or industries from serving on the board shall apply to all member appointments made to the board after July 1, 2010.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 2

AMEND by deleting Section 6 of the bill as amended and by substituting instead the following:

SECTION 6. Tennessee Code Annotated, Section 62-2-201, is further amended by adding the following language as a new subsection:

(d)(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the board:

(A) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the board shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the board, prior to serving as a member of the board. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the board after July 1, 2010;

(B) No person who is a member of the board shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity whose business endeavors or professional activities are regulated by the board during such person's period of service as a member of the board. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the board after July 1, 2010, and to all persons serving on the board on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the board shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the board for one (1) year following the date such person's service on the board ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the board as of July 1, 2010, and to persons appointed to the board subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in Title 3, Chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

On motion, Amendment No. 2, as amended, was adopted.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2593**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 2575 -- Highway Signs -- As introduced, "Veterans Memorial Highway", segment of State Route 44 in Sullivan County.

On motion, Senate Bill No. 2575 was made to conform with **House Bill No. 2663**.

On motion, House Bill No. 2663, on same subject, was substituted for Senate Bill No. 2575.

House Bill No. 2663 passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 2817 -- Uniform Laws -- As introduced, enacts the "Uniform Unsworn Declarations Act". Amends TCA Title 20; Title 24 and Title 39.

Senator Finney declared Rule 13 on **Senate Bill No. 2817**.

On motion, Senate Bill No. 2817 was made to conform with **House Bill No. 3651**.

On motion, House Bill No. 3651, on same subject, was substituted for Senate Bill No. 2817.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the following language from Section 1 of the printed bill:

I declare under penalty of perjury under the law of [insert name of enacting state] that the foregoing is true and correct, and that I am physically located outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

and by substituting instead the following:

I declare under penalty of perjury under the law of Tennessee that the foregoing is true and correct, and that I am physically located outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

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On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 3651**, as amended, passed its third and final consideration by the following vote:

Ayes 20
Noes 11

Senators voting aye were: Beavers, Black, Bunch, Burchett, Burks, Crowe, Faulk, Gresham, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson and Mr. Speaker Ramsey--20.

Senators voting no were: Barnes, Berke, Finney, Ford, Harper, Haynes, Henry, Herron, Kyle, Marrero and Stewart--11.

A motion to reconsider was tabled.

Senate Bill No. 2818 -- Uniform Laws -- As introduced, enacts amendments to Uniform Interstate Family Support Act. Amends TCA Title 36, Chapter 5.

On motion, Senate Bill No. 2818 was made to conform with **House Bill No. 3647**.

On motion, House Bill No. 3647, on same subject, was substituted for Senate Bill No. 2818.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3647** passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2969 -- Criminal Offenses -- As introduced, adds trespass upon property quarantined because of its use to manufacture methamphetamine to current prohibition on removing signs, offering for sale, or inhabiting such property. Amends TCA Title 68, Chapter 12, Section 503.

On motion, Senate Bill No. 2969 was made to conform with **House Bill No. 3270**.

On motion, House Bill No. 3270, on same subject, was substituted for Senate Bill No. 2969.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3270** passed its third and final consideration by the following vote:

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Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32

A motion to reconsider was tabled.

Senate Bill No. 3036 -- Children -- As introduced, creates a rebuttable presumption of substantial harm to a child if the child is not granted visitation with a grandparent who is the parent of the child's deceased parent. Amends TCA Title 36, Chapter 6, Part 3.

Senator Berke declared Rule 13 on **Senate Bill No. 3036**.

On motion, Senate Bill No. 3036 was made to conform with **House Bill No. 2700**.

On motion, House Bill No. 2700, on same subject, was substituted for Senate Bill No. 3036.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Senator Faulk moved that **House Bill No. 2700** be placed on the Calendar for Thursday, April 29, 2010, which motion prevailed.

Senate Bill No. 3246 -- Criminal Offenses -- As introduced, authorizes prosecutors to allow guardians of children violating truancy laws to attend parent education training and parent-teacher conferences as an alternative to criminal prosecution. Amends TCA Title 49, Chapter 6, Part 30.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3009, is amended by adding the following language as a new, appropriately designated subsection:

(c) As an alternative to prosecution for a Class C misdemeanor, at the prosecutor's discretion, parents, guardians or any other person, who has control of a child or children against whom a petition of truancy has been brought for being absent more than five (5) days during the school year, may participate in parent education training and parent-teacher conferences. The prosecutor may provide the parent, guardian or other person with the option to participate in such alternative program prior to filing the criminal charge. Failure of the parent, guardian or other person to timely respond to such option shall result in the revocation of the option and immediate filing of the criminal charge.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

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Thereupon, **Senate Bill No. 3246**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 3

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Woodson, Yager and Mr. Speaker Ramsey--30.

Senators voting no were: Burchett, Tracy and Watson--3.

A motion to reconsider was tabled.

Senate Bill No. 3439 -- Bail, Bail Bonds -- As introduced, requires that any defendant arrested for any offense against a person and who has a severe and persistent mental illness be held in custody for at least 12 hours from the time of such defendant's arrest if the defendant is a threat to the alleged victim. Amends TCA Title 40, Chapter 11.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-111, is amended by deleting the section in its entirety and substituting instead the following:

(a) Individuals who are unable to perform activities of daily living as the result of a severe and persistent mental illness, or individuals who have been adjudicated mentally incompetent, or infants, need not personally make the deposit or execute the bail bond as may be required under §§ 40-11-101 — 40-11-144, but the deposit and execution may be made for such individuals by anyone found by the sheriff or clerk taking the bond to be a responsible substitute.

(b) For the purposes of this section, an individual shall be considered to have a severe and persistent mental illness if:

(1) Such individual has a psychiatric diagnosis or symptoms consistent with a psychiatric diagnosis as specified in the latest edition of the *American Psychiatric Association Diagnostic and Statistical Manual*; and

(2) Such individual has delusions, hallucinations, extremely disorganized thinking or other significant disruptions of consciousness, memory, and perception that are not attributable solely to the acute effects of alcohol or other drugs; and

(3) Such individual has a documented medical history of the items listed in subdivisions (b)(1) and (b)(2).

(c) For purposes of this section, unless the context otherwise requires:

(1) "Delusions" means fixed, clearly false beliefs; and

(2) "Hallucinations" means clearly erroneous perceptions of reality.

SECTION 2. Tennessee Code Annotated, Section 40-11-150, is amended by adding the following new subsection (l):

(l)(1)(A) If an officer arresting a defendant for any offense set out in Title 39, Chapter 13, has reason to believe that the defendant poses a substantial likelihood of serious harm as referenced in § 33-6-501, the arresting officer shall make a recommendation to the sheriff for the defendant to be evaluated by a member of a community mental health crisis response service to determine if the defendant is subject to admission to a hospital or treatment resource pursuant to § 33-6-403.

(B) The assessment of the defendant by a member of a community mental health crisis response service shall be completed within twelve (12) hours from the time the defendant is in custody or the magistrate or other official with the authority to determine bail shall set bail and admit the defendant to bail, when appropriate. However, if the assessment is being conducted at the end of the twelve (12) hour period, the member of the community mental health crisis response service may complete the assessment. The magistrate or other official duly authorized to release the defendant may, however, release the accused in less than twelve (12) hours if the official determines that sufficient time has or will have elapsed for the victim to be protected.

(C) If the assessment of the defendant by the member of the community mental health crisis response service indicates that the defendant does not meet the standards of § 33-6-403, the sheriff shall so report to the magistrate or other official with the authority to determine bail and such magistrate or official shall set bail and admit the defendant to bail, when appropriate.

(2) The arresting officer shall note the time the defendant was taken into custody for purposes of beginning the twelve (12) hour assessment period provided in subdivision (l)(1)(B) of this subsection.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting Section 2 of the bill as amended by amendment drafting code # 1555396 and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 40-11-150, is amended by adding the following new subsection (I):

(I)(1)(A) Any officer who has reason to believe that a defendant under arrest may pose a substantial likelihood of serious harm to the defendant or to others may make a recommendation to the community mental health crisis response service that the defendant be evaluated by a member of such service to determine if the defendant is subject to admission to a hospital or treatment resource pursuant to § 33-6-403.

(B) The assessment of the defendant by a member of a community mental health crisis response service shall be completed within twelve (12) hours from the time the defendant is in custody or the magistrate or other official with the authority to determine bail shall set bail and admit the defendant to bail, when appropriate. However, if the assessment is being conducted at the end of the twelve (12) hour period, the member of the community mental health crisis response service may complete the assessment. The magistrate or other official duly authorized to release the defendant may, however, release the accused in less than twelve (12) hours if the official determines that sufficient time has or will have elapsed for the victim to be protected.

(C) If the assessment of the defendant by the member of the community mental health crisis response service indicates that the defendant does not meet the standards of § 33-6-403, the officer who has reasonable cause to believe that the defendant may pose a substantial likelihood of serious harm shall so report to the magistrate or other official with the authority to determine bail and such magistrate or official shall set bail and admit the defendant to bail, when appropriate.

(2) The officer who has reasonable cause to believe that the defendant may pose a substantial likelihood of serious harm shall note the time the defendant was taken into custody for purposes of beginning the twelve (12) hour assessment period provided in subdivision (I)(1)(B) of this subsection.

Senator Tracy moved that **Senate Bill No. 3439**, as amended, be moved five places down on the Calendar for today, which motion prevailed.

Senate Bill No. 3459 -- Criminal Offenses -- As introduced, creates the crime of harboring a runaway. Amends TCA Title 39, Chapter 15, Part 4.

On motion, Senate Bill No. 3459 was made to conform with **House Bill No. 3376**.

On motion, House Bill No. 3376, on same subject, was substituted for Senate Bill No. 3459.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 15, Part 4, is amended by adding the following as a new section:

§ 39-15-414.

(a) A person commits an offense who, with knowledge that a child is a runaway, as defined in § 37-1-102(25)(A)(iv), harbors or hides the child and:

(1) Fails to notify the child's legal custodian, legal guardian, or law enforcement authorities of the whereabouts of the child within a reasonable amount of time;

(2) Conceals the whereabouts of the child; or

(3) Aides the child in escaping from the custody of the child's parents or law enforcement authorities.

(b) A violation of this section is a Class A misdemeanor.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the language "child's parents" in subdivision (a)(3) in Section 1 of Senate Amendment # 1 and substituting instead the language "child's legal custodian, legal guardian,".

Pursuant to Rule 39(3), Amendment No. 2 was adopted by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

Thereupon, **House Bill No. 3376**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

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A motion to reconsider was tabled.

Senator Overbey moved that **Senate Bill No. 3528** be placed on the Calendar for Thursday, April 29, 2010, which motion prevailed.

Senate Bill No. 3589 -- Judgments -- As introduced, specifies three reasons why a foreign judgment would not be conclusive, and further states that a foreign defamation judgment shall not be recognized if the defamation law of the foreign court adjudicating the case provided less protection for freedom of speech and press than the United States and Tennessee constitutions. Amends TCA Title 16; Title 19; Title 20; Title 21; Title 25; Title 26; Title 29 and Title 45.

On motion, Senate Bill No. 3589 was made to conform with **House Bill No. 3300**.

On motion, House Bill No. 3300, on same subject, was substituted for Senate Bill No. 3589.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3300** passed its third and final consideration by the following vote:

Ayes	26
Noes	3
Present, not voting . . .	2

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Henry, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--26.

Senators voting no were: Ford, Kyle and Marrero--3.

Senators present and not voting were: Harper and Haynes--2.

A motion to reconsider was tabled.

Senator Bunch moved that **Senate Bill No. 194** be placed on the Calendar for Thursday, May 6, 2010, which motion prevailed.

Senator Berke moved that **Senate Bill No. 1444** be placed on the Calendar for Thursday, April 29, 2010, which motion prevailed.

FURTHER ACTION ON SENATE BILL NO. 3439, AS AMENDED

Senator Tracy moved that **Senate Bill No. 3439**, as amended, be placed on the Calendar for Thursday, April 29, 2010, which motion prevailed.

Senate Bill No. 2465 -- Sunset Laws -- As introduced, extends alcoholic beverage commission, June 30, 2010. Amends TCA Title 4, Chapter 29 and Title 57, Chapter 1, as amended.

Thereupon, **Senate Bill No. 2465**, as amended, passed its third and final consideration by the following vote:

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Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Southerland moved that **Senate Bill No. 2847** be placed on the Calendar for Thursday, April 29, 2010, which motion prevailed.

Senator Finney moved that **Senate Bill No. 3392** be placed on the Calendar for Thursday, April 29, 2010, which motion prevailed.

Senator Crowe moved that **Senate Bill No. 3410** be placed on the Calendar for Thursday, May 6, 2010, which motion prevailed.

Senator Beavers moved that **Senate Bill No. 3622** be placed on the Calendar for Thursday, April 29, 2010, which motion prevailed.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2726 -- Food and Food Products -- As introduced, limits civil and criminal liability of persons donating food to charitable organizations or to correction facility. Amends TCA Title 49 and Title 53, Chapter 13, Part 1.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 53-13-102, is amended by redesignating current subsection (a) as subdivision (a)(1) and adding the following as a new subdivision (a)(2):

(2) Any local education agency may donate any apparently wholesome food fit for human consumption to a county jail or bona fide charitable or nonprofit organization for free distribution, and shall not be subject to criminal penalty for violation of unfair trade practice laws or civil damages arising from the condition of the food, unless an injury is caused by the negligence, recklessness or intentional conduct of the agency.

SECTION 2. The Commissioner of Education is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

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Senator Berke moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2726**, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3000 -- Adoption -- As introduced, states that the Department of Children's Services shall have made a reasonable effort if the department's efforts have exceeded the efforts of the parent or guardian to establish a suitable home for the parent or guardian's child. Amends TCA Section 36-1-102 and Section 37-2-402.

HOUSE AMENDMENT NO. 1

AMEND by deleting Section 1 and Section 2 of the printed bill and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-2-402, is amended by adding the following language to the end of subdivision (10)(A)(ii):

The efforts of the department or agency to assist a parent or guardian in establishing a suitable home for the child may be found to be reasonable if such efforts exceed the efforts of the parent or guardian toward the same goal, when the parent or guardian is aware that the child is in the custody of the department;

SECTION 2. Tennessee Code Annotated, Section 36-1-102, is amended by adding the following language to the end of subdivision (1)(A)(ii):

The efforts of the department or agency to assist a parent or guardian in establishing a suitable home for the child may be found to be reasonable if such efforts exceed the efforts of the parent or guardian toward the same goal, when the parent or guardian is aware that the child is in the custody of the department;

Senator Barnes moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3000**, which motion prevailed by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3001 -- Adoption -- As introduced, states that a man shall not be a legal parent based solely on scientific testing, but such testing may be a basis for a court of competent jurisdiction to establish paternity. Amends TCA Section 36-1-102.

HOUSE AMENDMENT NO. 1

AMEND by deleting all the language following the enacting language in its entirety and by substituting the following language:

SECTION 1. Tennessee Code Annotated, Section 36-1-102(28), is amended by adding the following as a new subdivision:

(F) A man shall not be a legal parent of a child based solely on blood, genetic, or DNA testing determining that he is the biological parent of the child without either a court order or voluntary acknowledgement of paternity pursuant to § 24-7-113. Such test may provide a basis for an order establishing paternity by a court of competent jurisdiction, pursuant to the requirements of Section 24-7-112.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

Senator Barnes moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3001**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3019 -- Safety -- As introduced, requires an electrical inspector inspecting a pool installation to ensure that a pool alarm is also installed before granting final approval. Amends TCA Title 47 and Title 68, Chapter 14.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 14, is amended by adding the following as a new part thereto:

§ 68-14-801. This part shall be known and may be cited as "Katie Beth's Law".

§ 68-14-802. For purposes of this part, unless the context otherwise requires:

(1) "Pool alarm" means a device which emits a sound of at least fifty (50) decibels when a person or an object weighing fifteen (15) pounds or more enters the water in a swimming pool, but shall not include, swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water;

(2) "Residential dwelling" means a one-family or two-family dwelling structure; and

(3) "Swimming pool" means any structure that is intended for swimming or recreational bathing and contains water over thirty-six inches (36") deep, including, but not limited to, in-ground, aboveground, and on-ground swimming pools; hot tubs; and nonportable spas.

§ 68-14-803. Each person, enterprise, agency or entity that sells swimming pools to the general public shall post in a prominent place a sign, at least six inches (6") high and fourteen inches (14") wide, that reads as follows:

STATE LAW REQUIRES A POOL ALARM BE INSTALLED.

§ 68-14-804. Each person, enterprise, agency or entity that purchases or acquires a swimming pool to be installed after the effective date of this act shall install a pool alarm before using or making available for use such swimming pool.

§ 68-14-805.

(a) When an electrical inspection is required for the installation of a swimming pool, the electrical inspector shall not give final approval for the electrical wiring unless a properly functioning swimming pool alarm has been installed.

(b)(1) No local government shall issue a building permit for the construction or substantial alteration of a swimming pool located at a residential dwelling unless the project calls for a functioning swimming pool alarm to be installed prior to the completion of the construction project.

(2) It is an offense for any person, firm, association or corporation to knowingly accept a building permit for a swimming pool located at a residential dwelling unless a functioning swimming pool alarm will be installed prior to the completion of the construction project.

§ 68-14-806. A violation of this part is a Class C misdemeanor, punishable by a fine only not to exceed one hundred dollars (\$100). Second and subsequent offenses shall be punishable by a fine only of not more than five hundred dollars (\$500).

§ 68-14-807. The provisions of this part shall not apply to public swimming pools or multi-family residential housing swimming pools, as defined in § 68-14-302.

SECTION 2. This act shall take effect January 1, 2011, the public welfare requiring it.

Senator Burks moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3019**, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3854 -- Gas, Petroleum Products, Volatile Oils -- As introduced, revises various present law provisions regarding petroleum underground storage tanks. Amends TCA Title 68, Chapter 215, Part 1.

Senator Johnson declared Rule 13 on **Senate Bill No. 3854**.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-215-111(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) The fund shall be available to the board and the commissioner for expenditures for the purposes of providing for the investigation, identification, and for the reasonable and safe clean up, including monitoring and maintenance, of petroleum sites and locations from which underground storage tank systems have been removed within the state as provided in this chapter.

SECTION 2. Tennessee Code Annotated, Section 68-215-103(17), is amended by deleting subdivision (C) in its entirety and by substituting instead the following:

(C) Any person whose intentional actions directly cause the release of petroleum at a petroleum site;

(D) Any person other than an employee, officer, director, principal, or shareholder of the owner or operator of the underground storage tank system or of the owner of the petroleum site, whose negligent actions directly cause the release of petroleum at a petroleum site; or

(E) A responsible party does not include a unit of state or local government which becomes an owner or operator of a petroleum site by acquiring ownership or control through bankruptcy, tax delinquency, abandonment, or other circumstances in which the government acquires title by virtue of its function as sovereign, unless such

governmental entity has otherwise owned or operated a petroleum underground storage tank on the site or has caused or contributed to the release or threatened release from such a tank;

SECTION 3. Tennessee Code Annotated, Section 68-215-104, is amended by adding the following language as a new, appropriately designated subdivision:

(_) Submit to the department any document, in written or electronic format, known to be false or known to contain any materially false, fictitious or fraudulent statement or entry; knowingly make any materially false, fictitious, or fraudulent statement or representation; or knowingly falsify, conceal, or cover up a material fact.

SECTION 4. Tennessee Code Annotated, Section 68-215-114, is amended by deleting the section in its entirety and by substituting instead the following:

Section 68-215-114.

(a) When the commissioner finds upon investigation that any provisions of this chapter are not being carried out, and that effective measures are not being taken to comply with provisions of this chapter, the commissioner may issue an order for correction to the responsible party, and this order shall be complied with within the time limit specified in the order. The commissioner may issue an order to a responsible party to close the UST system under its ownership or control or use the petroleum underground storage tank fund to permanently close the UST system and seek cost recovery if the commissioner determines:

(1) That the tank system has not been brought into compliance within 6 months of being prohibited from receiving petroleum pursuant to Section 68-215-106(c); or

(2) That all fees, penalties, and interest have not been paid on a tank at the time tank fees for the following year are payable.

(b) Such order shall be made by personal service or shall be sent by certified mail. Investigations made in accordance with this section may be made on the initiative of the commissioner, including any violation of this chapter or regulations promulgated pursuant to this chapter. Prior to the issuance of any order or the execution of any other enforcement action, the commissioner may request the presence of an alleged violator of this chapter to a meeting to show cause why enforcement action ought not be taken by the department. Any person may request a meeting with the department to discuss matters pertaining to petroleum underground storage tanks.

(c) Responsible parties shall be liable to the state for costs of investigation, identification, containment and cleanup, including monitoring and maintenance, as provided in this chapter. Owners and/or operators of petroleum underground storage tanks with respect to releases eligible for fund reimbursement shall be liable for all costs not covered by the fund. Petroleum site owners with respect to releases eligible for fund reimbursement shall be secondarily liable for all costs not covered by the fund. All other owners and/or

operators of petroleum underground storage tanks and petroleum site owners shall be liable for all costs, as provided in this chapter. Notwithstanding the foregoing, nothing in this section shall prevent the reimbursement of expenditures for investigation, identification, containment and cleanup, including monitoring and maintenance incurred by tank owners and operators or petroleum site owners pursuant to § 68-215-111.

SECTION 5. Tennessee Code Annotated, Section 68-215-115, is amended by deleting the section in its entirety and by substituting instead the following:

Section 68-215-115.

(a) Whenever the commissioner expends money for the investigation, identification, containment or clean up of a particular site under this part, the commissioner may issue an order to any responsible party, other than an owner or operator of an underground storage tank system or a petroleum site owner if the release at such system or site is covered by the fund, to recover the amount expended or to assess that party's apportioned share of all costs expended or to be expended. Notwithstanding the commissioner's rights under this section, nothing herein shall prevent the reimbursement of expenditures for investigation, identification, containment and cleanup, including monitoring and maintenance incurred by tank owners and operators or petroleum site owners pursuant to § 68-215-111. Service of such an order shall be made by either personally serving the responsible party or by certified mail.

(b)(1) In assessing a responsible party's apportioned share, the commissioner may consider equitable factors, including, but not limited to, the following:

(A) Any monetary or other benefit accruing to each responsible party from the release of petroleum at the site;

(B) The culpability of each responsible party in regard to the release of petroleum at the site;

(C) Efforts of each responsible party to remediate the land, water, or other aspects of the site and any other affected property and to cooperate with the department in its work to investigate, contain or clean up the release of petroleum at the site; and

(D) Any expenditures required by the provisions of this part made by a responsible party shall be credited toward that party's share of the cost.

(2) Any person against whom an assessment is issued may secure a review of the propriety or amount of such assessment by filing with the commissioner a written petition setting forth the grounds and reasons for the objection and asking for a hearing before the petroleum underground storage tank board. Any such assessment shall become final and not subject to review unless the person named therein files such a petition within thirty (30) days after it is received.

(3) In no event shall the total monies recovered from the responsible party or parties exceed the total expenditure from the fund for such site, except that the commissioner may assess civil penalties as provided in § 68-215-121. No tank owners and operators or petroleum site owners that are eligible to be reimbursed expenses pursuant to § 68-215-111 shall be liable to any other responsible party for contribution or cost recovery actions, related to any amounts recovered by the commissioner pursuant to this section under any law, including any common law claim, or for other similar third-party claims.

(4) The fund shall pay any portion of the total expenditure in excess of the aggregate amount of costs or expenditures apportioned pursuant to this section. All monies recovered from the responsible parties pursuant to this section shall be deposited in the fund.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Barnes moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3854**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senator Crowe moved that **House Bill No. 1184** be returned to the House, which motion prevailed.

MOTION

Senator Kyle moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 3912** on the calendar for the Committee on Finance, Ways and Means immediately if recommended for passage by the Committee on Transportation, which motion prevailed.

MOTION

Senator Kyle moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 3901 and 3911** on the calendar for the Committee on Finance, Ways and Means immediately if recommended for passage by the Tax Sub Committee of the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator Kyle moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 3880 and 3916 through 3918** on the calendar for the Committee on Finance, Ways and Means for Tuesday, April 27, 2010, which motion prevailed.

NOTICES

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2797, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3489, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3715, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MOTION

Senator Johnson moved that **Senate Bill No. 3161** be returned to the House, which motion prevailed.

MOTION

Senator Norris moved that the Proposed Schedule for the week of April 26, 2010, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
106th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF APRIL 26, 2010**

MONDAY – April 26

No Session

THURSDAY, APRIL 22, 2010 -- 83RD LEGISLATIVE DAY

TUESDAY – April 27

8:30 a.m. – 12:00 noon	Judiciary Committee
12:00 noon – 1:00 p.m.	Lunch
1:00 p.m. – 3:00 p.m.	Finance, Ways & Means Committee
3:00 p.m. – 5:00 p.m.	Transportation Committee

WEDNESDAY – April 28

8:30 a.m. – 10:30 a.m.	Tax Sub Committee
10:30 a.m. – 12:00 noon	General Welfare, Health & Human Resources Committee
12:00 noon – 1:30 p.m.	Lunch
1:30 p.m. – 5:00 p.m.	Finance, Ways & Means Committee (Tax Sub and Budget Sub will meet immediately following)

THURSDAY – April 29

9:00 a.m.	Session – Senate Chamber
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OTHER MEETINGS: Fiscal Review Committee, Monday, April 26, 2010, at 1:30 p.m., Room 16 LP.

Joint Government Operations Rules Review, Monday, April 26, 2010, at 1:30 p.m., Room 30 LP.

NOTE: The following committees are closed:

Education Committee
State & Local Government Committee
Commerce, Labor & Agriculture Committee
Government Operations Committee

The following committee will not meet:

Environment, Conservation & Tourism Committee

MOTION

On motion of Senators Herron, Overbey, Gresham, Harper and Black, their names were added as sponsors of **Senate Joint Resolution No. 971**.

On motion of Senator Ford, her name was added as sponsor of **Senate Bills Nos. 3246 and 3410; and Senate Joint Resolution No. 975**.

On motion of Senator Crowe, his name was added as sponsor of **House Joint Resolutions Nos. 1042 and 1060**.

On motion of Senators Overbey, Faulk and Crowe, their names were added as sponsors of **House Joint Resolution No. 1043**.

On motion of Senators Burks and Black, their names were added as sponsors of **House Joint Resolution No. 1044**.

THURSDAY, APRIL 22, 2010 -- 83RD LEGISLATIVE DAY

On motion of Senators Harper, Haynes, Henry, Johnson, Gresham, McNally, Burchett and Black, their names were added as sponsors of **House Joint Resolution No. 1045**.

On motion of Senator Black, her name was added as sponsor of **Senate Bill No. 1912; and House Joint Resolution No. 1050**.

On motion of Senators Henry, Haynes and Harper, their names were added as sponsors of **House Joint Resolution No. 1052**.

On motion of Senator Herron, his name was added as sponsor of **House Joint Resolution No. 1053**.

On motion of Senators Southerland and Crowe, their names were added as sponsors of **House Joint Resolution No. 1054**.

On motion of Senator Barnes, his name was added as sponsor of **House Joint Resolution No. 1055**.

On motion of Senators Gresham, Norris, Finney and Herron, their names were added as sponsors of **House Joint Resolution No. 1057**.

On motion of Senator Harper, her name was added as sponsor of **House Joint Resolution No. 1059**.

On motion of Senator Haynes, his name was added as sponsor of **House Joint Resolution No. 1062**.

On motion, all Senators' names were added as sponsors of **House Joint Resolution No. 1063**.

On motion of Senators Herron, Gresham, Norris and Finney, their names were added as sponsors of **House Joint Resolution No. 1064**.

On motion of Senators McNally and Yager, their names were added as sponsors of **House Joint Resolutions Nos. 1066 and 1067**.

On motion of Senator Tracy, his name was added as sponsor of **Senate Bills Nos. 2753 and 3484; and Senate Joint Resolution No. 698**.

On motion of Senators Bunch, Woodson and Burchett, their names were added as sponsors of **Senate Resolution No. 208**.

On motion of Senator Overbey, his name was added as sponsor of **Senate Bills Nos. 2575, 2847 and 3439**.

On motion of Senator Burks, her name was added as sponsor of **Senate Bills Nos. 2818, 3459 and 3589**.

On motion of Senators Burks and Finney, their names were added as sponsors of **Senate Bill No. 2969**.

THURSDAY, APRIL 22, 2010 -- 83RD LEGISLATIVE DAY

On motion of Senators Overbey and Black, their names were added as sponsors of **Senate Bill No. 3036**.

On motion of Mr. Speaker Ramsey, his name was added as sponsor of **Senate Bill No. 132**.

On motion of Senator Overbey, his name was added as prime sponsor of **Senate Bill No. 954**.

On motion of Senator Tracy, his name was removed as sponsor of **Senate Bill No. 954**.

On motion of Senator Faulk, his name was added as prime sponsor of **Senate Bill No. 1728**.

On motion of Senator Bunch, his name was removed as sponsor of **Senate Bill No. 1728**.

On motion of Senator Norris, his name was added as prime sponsor of **Senate Bills Nos. 925, 926, 1093 and 1095**.

On motion of Senator Kelsey, his name was added as prime sponsor of **Senate Bills Nos. 928 and 933**.

On motion of Senator Tate, his name was added as prime sponsor of **Senate Bill No. 929**.

On motion of Senator Johnson, his name was added as prime sponsor of **Senate Bill No. 2178**.

On motion of Senator Henry, his name was added as sponsor of **Senate Joint Resolution No. 1034**.

On motion of Senator Gresham, her name was added as sponsor of **Senate Bill Nos. 2395, 3432, 3484 and 3754**.

ENGROSSED BILLS

April 22, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2465 and 3246; and Senate Joint Resolutions Nos. 698, 967, 968, 969, 970, 971, 972, 973, 974, 975 and 977; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENGROSSED BILLS

April 22, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 1033, and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

THURSDAY, APRIL 22, 2010 -- 83RD LEGISLATIVE DAY

ENGROSSED BILLS

April 22, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 1041, and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 995, 2452, 3990 and 3991; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1069, 1070, 1071, 1072, 1075, 1076, 1077, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098 and 1099; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1321, 3321 and 3348; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2391, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

THURSDAY, APRIL 22, 2010 -- 83RD LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 979, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1033, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1041, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

April 22, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 1321, 2391, 2726, 3000, 3001, 3019, 3321, 3348, 3362 and 3854; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

April 22, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 979 and 1041, and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

April 22, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 1033, and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

THURSDAY, APRIL 22, 2010 -- 83RD LEGISLATIVE DAY

ENROLLED BILLS

April 22, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 208 and 210, and find same correctly enrolled and ready for the signature of the Speaker.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 21, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2438, 2681, 2762, 3095, 3138, 3159 and 3603; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1042, 1043, 1044, 1045, 1046, 1048, 1049, 1050, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065 and 1066; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 1067, for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

April 21, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 2198, 2444, 2624, 2767, 2999, 3666, 3706 and 3834.

SIGNED

April 22, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 979 and 1041.

SIGNED

April 22, 2010

The Speaker announced that he had signed the following: Senate Joint Resolution No. 1033.

SIGNED

April 22, 2010

The Speaker announced that he had signed the following: Senate Resolution No. 210.

SIGNED

April 22, 2010

The Speaker announced that he had signed the following: House Bills Nos. 2438, 2681, 2762, 3095, 3138, 3159 and 3603.

SIGNED

April 22, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1042, 1043, 1044, 1045, 1046, 1048, 1049, 1050, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065 and 1066.

SIGNED

April 22, 2010

The Speaker announced that he had signed the following: House Joint Resolution No. 1067.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2198, 2444, 2624, 2767, 2999, 3666, 3706 and 3834; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 979 and 1041, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 22, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1033, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 21, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 794, 923, 924, 926, 928, 929, 930, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964 and 981; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 22, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 2198, 2444, 2624, 2767, 2999, 3666, 3706 and 3834; and Senate Joint Resolutions Nos. 979 and 1041; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 22, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 1033, for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 21, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 981, with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

April 22, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 1033, with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

THURSDAY, APRIL 22, 2010 -- 83RD LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

April 23, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 444, 2441, 2505, 2584, 2585, 2643, 2826, 2859, 2945, 3590, 3725, 3828 and 3841; and Senate Joint Resolutions Nos. 923, 924, 926, 928, 929, 930, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 979 and 1041; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 9:00 a.m., Thursday, April 29, 2010, which motion prevailed.